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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/808,906

03/25/2004

William B. Bellis SR.

BEL.206

7405

24062 7590 05/27/2009
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EXAMINER

PHILIPPE, GIMS S

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

05/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/808,906	Applicant(s) BELLIS, WILLIAM B.	
	Examiner Gims S. Philippe	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 12-19 is/are rejected.
- 7) ☒ Claim(s) 7-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Applicant's amendment received on April 8, 2009 has been fully considered and entered, but the arguments are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Persic (US Patent Application Publication no. 2005/0030478 A1).

As per claim 1, Persic discloses an image transfer device in fig. 7, comprising: a box including walls defining an inlet opening and an outlet opening (See box 36, with inlet 38 and outlet 42); a screen (See screen 44); a first mirror, said first mirror being a two-way mirror and having first and second sides (See mirror 40, and [0066] describing the two-way mirror), wherein said openings, screen and first mirror are aligned such that, when an image is projected through said inlet opening and is reflected off of said first mirror

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onto said screen to form a screen image, the screen image can be viewed by looking through both said outlet opening and said first mirror (See fig. 7, and [0066-0068] and see alignment disclosure in [0068]).

As per claim 12, Perisic discloses an image transfer device, comprising: a box including Walls defining an inlet opening and an outlet opening (See box 36, with inlet 38 and outlet 42); a screen inside said box aligned with said outlet opening (See screen 44); a projector platform outside said box; a projector mounted on said projector platform so that a light beam projected from said projector is aligned with and passes through said inlet opening (See fig. 8, projector 1P, and [0069]); a camera platform outside said box (See camera platform 1C and 3 placed outside the box in fig. 8); an image receiving device mounted on said camera platform aligned with said outlet opening and said screen (See Perisic [0069-0070]); and first and second mirrors mounted inside said box, said first mirror being a two-way mirror at a 45-degree angle to said screen (See fig. 5A describing the claimed first and second mirrors), and said second mirror lying at right angles to said first mirror and at a 45-degree angle to said projector light beam, wherein the light beam projected from said projector is reflected off of said second mirror onto said first mirror and then is reflected off of said first mirror onto said screen, and the screen image can be viewed by the image receiving device directly through the first mirror (See fig. 5A, mirrors 11 and 12 and paragraphs [0066-0068]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-6, 13-15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perisic (US Patent Application Publication no. 2005/0030478).

As per claims 2-6, 13-15, 17 and 18, most of the limitations of these claims have been noted in the above rejection of claims 1 and 12.

It is noted that Perisic does not specifically give the mechanical details about the means for controlling the tilt.

However, in paragraphs [0057-0058] and [0061], Perisic provides adjustment mechanism for the two mirrors as well as the rotation of the gears. To the examiner, one skilled in the art would recognize the advantage of modifying Perisic teachings to provide the claimed mechanical detail as an alternate design choice in the image transfer device.

As per claims 16 and 19, providing 60-40 mirrors as first and second mirrors and black covered floor are considered alternate design choice that one skilled in the art at the time of the invention would be motivated to provide for Perisic image transfer device.

6. Claims 7-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Gims S Philippe
Primary Examiner
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/Gims S Philippe/
Primary Examiner, Art Unit 2621